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7 Attorney for Andre Johnson

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ANDRE JOHNSON,

15 Defendant.

Case No. 2:18-CR-142-JCM-PAL

UNOPPOSED MOTION FOR
ORDER REQUESTING THE
DEPARTMENT OF PROBATION TO
PREPARE A PRE-PLEA PSI

16
17 Certification: This motion is timely filed.

18 Comes now the defendant, Andre Johnson, by and through his counsel of record, Brenda
19 Weksler, Assistant Federal Public Defender, and hereby moves this court for an order
20 requesting the department of probation to prepare a pre-plea PSI. This request is based on the
21 Points and Authorities attached hereto.

22 DATED this 5th day of February, 2019.

23 RENE L. VALLADARES
24 Federal Public Defender

25 By: /s/ Brenda Weksler

26 BRENDA WEKSLER
Assistant Federal Public Defender
Attorney for Andre Johnson

1 **MEMORANDUM**

2 Undersigned has discussed the case with her client, Andre Johnson, and the different
3 ways in which his criminal history may impact the sentence he may receive. Given the potential
4 for Armed Career Criminal designation, undersigned respectfully requests an Order from this
5 Court requesting the Department of Probation to prepare a “pre-plea PSI,” detailing Johnson’s
6 prior convictions.¹ Undersigned does not need the Department of Probation to analyze whether
7 any of the prior convictions qualify as a “violent felony” or a “serious drug offense” under 18
8 U.S.C. § 924(e). Instead, what is needed is a list of all of Johnson’s prior arrests that resulted in
9 a conviction.

10 DATED this 5th day of February, 2019.

11
12 Respectfully submitted,
13 RENE L. VALLADARES
14 Federal Public Defender

15 By: /s/ Brenda Weksler

16 BRENDA WEKSLER
17 Assistant Federal Public Defender
18 Attorney for Andre Johnson

19 **IT IS SO ORDERED** this 7th day
20 of February, 2019.

21 
22 Peggy A. Leen
23 United States Magistrate Judge
24

25 ¹ Undersigned counsel has already reached out to Probation explaining the particular
26 circumstances involved in this case, which necessitate their involvement prior to the entry of a
plea in this case.

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on February 5, 2019, she served an electronic copy of the above and foregoing **UNOPPOSED MOTION FOR ORDER REQUESTING THE DEPARTMENT OF PROBATION TO PREPARE A PRE-PLEA PSI** by electronic service (ECF) to the person named below:

NICHOLAS A. TRUTANICH
United States Attorney
ROBERT KNIEF
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Lauren Conklin
Employee of the Federal Public Defender